O/Entertainments/53

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File No. 36/53

Legal Deptt

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Subject:—

Obivion on the

Bombay Feeding of

Entertainment (Restrictions)

Orders.

O/Entertainments/53

File No. 36/53

Gen. 191 e.

C O N T E N T S

Legal Department File No. O.Entertainment/53 (G-36)

Sr. No.	R. I. / O. No.	Subject	Pages.
		Opinions under the Bombay feeding at Entertainment (Restriction) order.	
1-	G-72/30-1-53	Whether two independent parties can be held on the same day at the same or different places in connection with the same function one by the brideand father of the bride and the other by the father of the bridgroom each inviting for the party arranged by him the maximum number of guests permitted.	1-2
2.	G-184/26-3-53	Whether the said order applies to Indian Naval Ships while in the port of B'bay or the Indian Naval Lockyard B'bay.	3-4
3.	G-251/29-4-53	Re: Infrigement of the said order by serving prohibited articles to more than 50 persons.	5-6
4.	G-630/10-10-53	Whether service of meals by Local residents to piligrims (exceeding 50 in number) passing through the place with a palkhi, can be said to be in connection with a party, entertainment or function.	7-8

Mjr/16/8/
5 Cs.

 Office of the R.L.A.

The question for consideration is whether two independent parties can be held on the same day at the same or different places in connection with the same function - one by the father of the bride and the other by the father of the bridegroom each inviting for the party arranged by him the maximum number of guests permitted.

What is prohibited under the Bombay Feeding at Entertainments (Restriction) Order is that no person or body of persons acting in concert either jointly or severally shall on any one day feed more than the permitted number of guests in connection with an entertainment. There is no doubt that if cooking is done in a common place and if dinner is common, the bride and the bridegrooms' fathers can together feed only 100 guests as they are acting in concert. But if two independent parties are held by the bride's and the bridegroom's fathers each can feed 100 persons as they cannot be said to be acting in concert although the parties are in connection with the same function namely marriage. In case of such independent parties no difficulty is likely to arise if the parties are at two different places but if the parties are at the same place, the function in the place being common it is prima facie likely to be construes as one party and the bride's and the bridegrooms fathers as acting in concert.

Sd/P.M.LAD.
30/1

Remembrancer of Legal Affairs.

U.R. to C.S.D. No. G-72, dated the 30th January 1953.

VGP. 16-8-56.

Bombay Feeding at Entertainment (Restriction) Order, 1953.

Clause 1(ii).

The question for consideration is whether the Bombay Feeding at Entertainment (Restriction) Order, 1953 applies to Indian Naval Ships while in the port of Bombay or the Indian Naval Dockyard, Bombay.

Under clause 1(ii) of the Bombay Feeding at Entertainment (Restriction) Order, that order applies to the whole of the State of Bombay. The jurisdiction of the State of Bombay extends over its territorial waters. As the Indian Naval Ships in the port of Bombay are not exempted from the operation of the Bombay Feeding at Entertainment (Restriction) Order, it would apply to those ships. The said order would also apply to the Indian Naval Dockyard, Bombay which is situate on land in the City of Bombay.

Sd/P.M.LAD.
25/3

Remembrancer of Legal Affairs.

U.R. to C.S.D. No. G- 184, dated the 20th March 1956.

VGP 16-8-56.

If the number of persons invited is more than 50, there would be no infringement of the Bombay Feeding at Entertainment (Restriction) Order, 1953 if the prohibited article are served to not more than 50 persons. But if the prohibited articles prepared are in such quantity as can be reasonably served or distributed to more than 50 persons, and the perso invited number more than 50 there would be clear infringement of the provisions of the order although the intention of the person or the body of persons, may be serve the prohibited articles to not more than 50 persons.

Sd/J.R.DHURANDHAR.
29/4

Remembrancer of Legal Affairs.

U.R. to C.S.D. No. G- 251, dated the 29th April 1953.

VOP. 16-8-56.

Legal Department.

The question for consideration is whether service of meal by local residents to pilgrims (exceeding 50 in number) passing through the place with a palkhi, can be said to be in connection with a party, entertainment or function.

The word 'function' is defined in the Oxford Dictionary - (Part IV) as a religious or public ceremony, or a social or festive meeting conducted with form and ceremony. 'Entertainment' is defined in the same dictionary as that which affords interest or amusement or a public performance intended to interest or amuse. In clause 2(ii) of the Bombay Feeding at Entertainment (Restriction) Order, 1953, the word 'Entertainment' is defined as any entertainment, party or function, religious, social or otherwise. In Iyer's Law Lexicon the word 'Entertainment' is defined as the act of furnishing accommodation, refreshment, good cheer or deversion, mental enjoyment, instruction or amusement afforded by anything seen or heard, hospitable reception etc. The feeding of the pilgrims by the local residents would be sort of hospitable reception. Besides the taking of the palkhi will also come under 'religious ceremony'. It therefore appears that the feeding of the pilgrims exceeding 50 in number of the local residents would offend against clause 3 of the Bombay Feeding at Entertainments (Restriction) Order.

Sd/

Additional Secretary to Government.

U.R. to C.S.D.No. G- 630, dated the 10th October 1953.

VGP. 16-5-53.